

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

LASHARDA PEOPLES,  
as mother and guardian of C.R.,

Plaintiff,

v.

Case Number 05-10316-BC  
Honorable Thomas L. Ludington

SAGINAW PUBLIC SCHOOLS, CARLO  
ROBINSON, CHERYL HATTON, and  
JOHN DOE,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION, GRANTING DEFENDANTS SAGINAW PUBLIC  
SCHOOLS AND CHERYL HATTON'S MOTION FOR SUMMARY JUDGMENT,  
AND DISMISSING ALL CLAIMS AS TO THOSE TWO DEFENDANTS**

This matter is before the Court on a report issued by Magistrate Judge Charles E. Binder on April 25, 2007 recommending that the defendant Saginaw Public Schools and Cheryl Hatton's motion for summary judgment be granted and that all claims against those defendants be dismissed. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The plaintiff's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation is **ADOPTED** [dkt # 22], defendants Saginaw Public Schools and Cheryl Hatton's motion for

summary judgment [dkt # 16] is **GRANTED**, and all claims against those two defendants are **DISMISSED WITH PREJUDICE**.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: May 15, 2007

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 15, 2007

s/Tracy A. Jacobs  
TRACY A. JACOBS